

**TAB 3**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: Unassigned
TAKEHIKO KAWASAKI, ET AL.	)	
	:	Group Art Unit: Unassigned
Application No.: 10/559,532	)	
	:	Confirmation No.: 1278
Filed: December 2, 2005	)	
	:	
For: SHEET MATERIAL IDENTIFYING	)	August 28, 2008
APPARATUS, SHEET MATERIAL	:	
TREATING APPARATUS AND SHEET	)	
MATERIAL IDENTIFYING METHOD	:	

**Mail Stop Petitions**  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

DECLARATION OF MARK CHANDERDATT

Sir:

I, the undersigned MARK CHANDERDATT, declare and say that:

1. I am the docketing supervisor at the law firm of Fitzpatrick, Cella, Harper & Scinto ("our firm"), 30 Rockefeller Plaza, New York, New York 10112, and have been with the firm for over 9 years.

2. It is our firm's normal practice to keep a record of all documents received from the U.S. Patent and Trademark Office ("USPTO") requiring a response within a specified period, i.e., all documents having a "due date." I have personally reviewed our firm's docketing records for responses due on May 14, 2006 for Notification of Missing Requirements

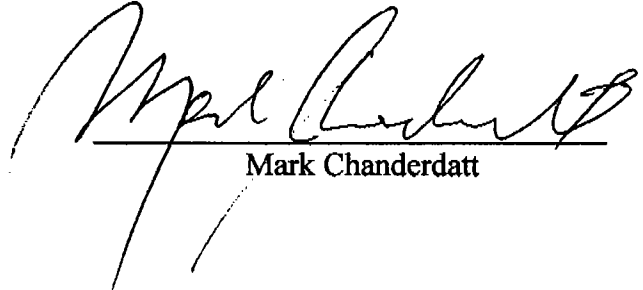
Under 35 U.S.C. 371 in the United States Designated/Elected Office, dated March 14, 2006, ("Notification of Missing Requirements") and our firm's records indicate that no Notification of Missing Requirements with a mailing date of March 14, 2006, or any other mailing date, was received from the USPTO for Application No. 10/559,532 .

3. More specifically, I have reviewed our firm's master docket record and manual docket record for responses due on May 14, 2006, and the records show that no response was due on that date for Application No. 559,532, which would correspond to a Notification of Missing Requirements with a mailing date of March 14, 2006. Attached, as Exhibit A, are copies of the relevant portions of our firm's master docket record and manual docket record for May 14, 2006, listing responses due on that date.

4. It is also our firms normal practice to keep a record of any Notification of Abandonment our firm receives from the USPTO. I have also personally reviewed our firm's docketing records for receipt of a Notification of Abandonment for Application No. 10/559,532, with a mailing date of January 8, 2007, or any other date, and our records show that no Notification of Abandonment for Application No. 10/559,532 was ever received by our firm.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title XVIII of United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Dated: August 28, 2008

  
Mark Chanderdatt

FCBS\_WS 2417234v1

MAY 14 2006

## DOCKET

ATTORNEY	SERIAL NUMBER	INVENTOR	NATURE OF RESPONSE DUE
	00862.002999	USP SWL 2/14/06	
GOW	0091386331	Yamamoto	Resp On
	00684.003313	Issue Fee + Pub Fee + Advanced Copies by hand	
MJD	07050.831	Amendment	Resp On
	03500.017542	Notice of Allowance	Final
MJD	01649625	Sell	Final
	03560.003170	Issue + Pub Fees + Advanced copies by hand	
SEW	107349.108	Hatton per SEW	Pub Fee
	0062011964	Amend by COM PER SET on 2/14/06	
FLC	0062011964	Amend by COM PER SET on 2/14/06	
FLC	03560.002833	RCE + IDS by COM on 5/4/06	
	03560.017541	RCE + PREL Final	by COM on 2/14/06
FAD	01649625	Issue + Pub Fees + Advanced copies by hand	
	03500.017632	Issue + Pub Fees + Advanced copies by hand	
WNW	107682.810	Nishitaka	Pub Fee
	022601002800	Amend + Pub Fee + 1/13/06	Deal by
EFH	101198583	Amend + Pub Fee + 1/13/06	Deal by
	00684.003581	Issue + Pub Fees + Advanced copies by hand	
SEW	10777.146	Korenaga	Issue Fee
	022601002230	RCE + Pub Fee	May COM on 5/15/06
TG	101342159	Issue + Pub Fees + Advanced copies + hand	
	01972 020467	Issue + Pub Fees + Advanced copies + hand	
KNW	0919023.609	Amendment on SEW	Reopen allowed by MJD
	01721030625	Notice of Allowance	Final
MJD	01649625	Issue + Pub Fees + Advanced copies	
	03500.011546.3	RCE + IDS by hand	on 5/15/06
DSG	03560.003307	Amended by COM	10/09/06
JMD	101370433	Issue + Pub Fees + Advanced copies	
	00862.501301	Issue + Pub Fees + Advanced copies	
SEW	11705.403	Amendment on SEW	Issue Fee + Final
	03560.003307	Amend by COM PER SET on 2/14/06	
OSW	041386331	Amendment	Resp On
	03500.018091	RCE + S11 Institute Spec	by hand
SDM	117356.014	Amendment on SEW	Spec
	03560.003307	Amendment on SEW	Spec
MJD	041386331	Amendment	Resp On
	03161.001391.1	Amendment	Resp On
SDM	117316.511	Amendment	Resp On
CAF	03500.016251	Amendment	Resp On
	10705.816	Amendment	Resp On
S	00862.106766	Amendment	Resp On
SEW	11735.444	Amendment	Resp On
OSW	03560.003307	Amendment	Resp On
	03560.125466	Amendment	Resp On
JMD	117355.410	Amendment	Resp On
	03500.017818	Amendment	Resp On
FAD	107150.145	Amendment	Resp On

# DOCKET

MAY 14 2006

ATTORNEY	SERIAL NUMBER	INVENTOR	NATURE OF RESPONSE DUE
<del>PAR</del>	<del>01938.008487</del> <del>18/604,944</del>	<del>THOMAS LIGNAN</del>	<del>RESP</del> ✓
✓	1938.5107 OFF. 9116013	KEITH L. L. V. TO STELLER Natural Offspring of Pigeons + 1/6	RESP
✓	0146.3001 OFF. 9116111	KEITH L. L. V. TO STELLER COFF. PIGEONS	RESP
✓	0145.5312 OFF. 9116120	MARSHINE, VS. ANG FRANCHISE	RESP
✓	02398.000010.0 US05109943	NO RESP needed per AAR 5/15/06 ELK Corp	RESP
✓	01807.111090	FILED BY COMM. IN AAR on 4/21/06	RESP
✓	00911.003200.1 11/272,122	Extent to 6/14/06 per AAR on Reviews	RESP
✓	00862.083197 10/819,517	Var. in 11/06 Reviews	RESP
✓	3386.5310 OFF. 9116113	Muri. In. V. Sec. 11/10/06 per AAR Reviews, Shere	RESP
✓	3492	APPLA ACR/DOD 5/11/06 Reviews	RESP

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MASTER DOCKET - From 042606 to 051606

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Due Date	Docket Number	Attorney	Action	Application No
5/14/2006	0091T-003200-1	Zupreis, Anthony M.	Notice to File Missing Parts - 3 month extension	11272722
Remarks	(JB) (ROC9-2005-0078) (JOINT ASSIGNEES)	CONT OF 10/611415;		

## MASTER DOCKET - From 042606 to 051606

Due Date	Docket Number	Attorney	Action	Application No
5/14/2006	00684.000388.	Perry, Lawrence S.	Expiry date	862978
Remarks	Country of Origin - JAPAN Last update - 05-19-2004			
<del>5/14/2006</del>	<del>01997.039300.</del>	<del>Pierotti, Joseph P.</del>	<del>Information Disclosure Statement Due</del>	<del>11/354609</del>
Remarks	(BASED ON PVL APPLN) decl with surcharge due;			
<del>5/14/2006</del>	<del>01997.039301.</del>	<del>Pierotti, Joseph P.</del>	<del>Information Disclosure Statement Due</del>	<del>11/353161</del>
Remarks	(RRM) (BASED ON PVL APPLN) (RELATED TO 1997.39302) decl with surcharge due;			
<del>5/14/2006</del>	<del>00802.022385.</del>	<del>Reda, Jennifer A.</del>	<del>Appel - 2 month extension</del>	<del>10/419759</del>
Remarks	1ST RCE FILED 040105;			
<del>5/14/2006</del>	<del>05300.077552.</del>	<del>Sutton, Peter</del>	<del>FINAL 3 month Office Action initial deadline</del>	<del>10/795315</del>
Remarks	FLOPPY RCD W/APLN; IPT 040506 - INSTR;			
5/14/2006	03500.004485.	Stahl, Lawrence A.	Expiry date	863072
Remarks	Country of Origin - JAPAN Last update - 10-06-2004			
<del>5/14/2006</del>	<del>03500.018134.</del>	<del>Vadrakis, Diamond E.</del>	<del>Information Disclosure Statement Due</del>	<del>10/296508</del>
Remarks				
<del>5/14/2006</del>	<del>03292.101120.</del>	<del>Yu-James, Lock-See</del>	<del>Information Disclosure Statement Due</del>	<del>11/273002</del>
Remarks				
<del>5/14/2006</del>	<del>00802.023404.</del>	<del>Wes. to hand for STB on 5/15/06</del>	<del>Information Disclosure Statement Due</del>	<del>09/022996</del>
Remarks				

DS. - 6.14.06

DS. - 6.14.06

RCE + Pet 2x by COMUS 5/15/06 20215-PLC

RCE by COMUS 5/15/06 20215-PLC

DS. - 6.14.06

DS. - 6.14.06

Information Disclosure Statement Due



MASTER DOCKET - From 042606 to 051606

Due Date	Docket Number	Attorney	Action	Application No
5/14/2006	<del>0366-000000</del>	<del>Div Agent by Cousin per 5/14/06</del>	<del>Statute Divisional</del>	<del>10/011975</del>
Remarks	; PTA=527; IPT 040706 - PAY FEE & FILE DIV; <b>DONE</b> <b>5-12-06</b>			
5/14/2006	<del>02911-004800</del>	<del>PC</del>	<del>Mandate, Raymond R.</del>	<del>PCT - 30M deadline to enter next phase (Chapt. US04/27025</del>
Remarks	LastUpdate - 03-01-2005			
5/14/2006	<del>02911-004800</del>	<del>PC</del>	<del>Mandate, Raymond R.</del>	<del>NTL CH II</del>
Remarks	LastUpdate - 03-01-2005			
5/14/2006	<del>02911-004800</del>	<del>PC</del>	<del>Mandate, Raymond R.</del>	<del>NTL CH II</del>
Remarks	LastUpdate - 03-01-2005			
5/14/2006	<del>03101-001397</del>	<del>1</del>	<del>Mandate, John D.</del>	<del>Notice to File Missing Parts initial deadline 11/21/571</del>
Remarks	<b>NO next. a</b> <b>Ann 5-15-06</b>			
5/14/2006	<del>03308-000010</del>	<del>PC</del>	<del>Munnane, John D.</del>	<del>Response to Search Report Due - Act. 10-Amon US04/00043</del>
Remarks	Country of Origin - USA LastUpdate - 04-11-2005			
5/14/2006	<del>00862-023157</del>	<del>0</del>	<del>Okum, Jason M.</del>	<del>10/041970</del>
Remarks	(JOINT ASSIGNEES)			
5/14/2006	<del>03500-125906</del>	<del>0</del>	<del>Oliver, Justin A.</del>	<del>11/255070</del>
Remarks	(JOINT ASSIGNEE) decl w/surcharge due;			

**ver all still in**

**1 month restriction initial deadline**

**5/19-5/20/06**

**Notice to File Missing Parts initial deadline**

**5/15/06 5/15/06**

Due Date	Docket Number	Attorney	Action	Application No
5/14/2006	01204-025000	Emmit, Peter	Information Disclosure Statement Due	11274600
Remarks	(PE) (BASED ON PVL APPLN);			
5/14/2006	03500-011506-3	Glueck, Daniel S.	Issue/Publication Fees due	10/261903
Remarks	1.53B DIV - PAR TO ISSUE; 091505; EMAIL 093005 - NO DIV AT THIS TIME; PTA=60;			
5/14/2006	02280-003220	Griot, Thomas	3 month Office Action - 3 month extension	10/2942489
Remarks	(BASED ON PVL APPLN) (NO DWGS); Advisory rec'd 10/12/05			
5/14/2006	09163-000700	Holweg, Elizabeth F.	Information Disclosure Statement Due	11/950159
Remarks	decl with surcharge due;			
5/14/2006	03500-013771	Klock-Ganser, Brian Jeff	3 month Office Action initial deadline	10/787080
Remarks	1.53B DIV - PAR ABAND			
5/14/2006	01807-111092	Kmetz, Edward A	Except if application filing deadline	
Remarks				
5/14/2006	03560-002940	Kmetz, Edward A	3 month Office Action initial deadline	09/986244
Remarks	IPT 033106 - INSTR;			
5/14/2006	03500-018060	Maglayan, John J.	3 month Office Action initial deadline	10/812019
Remarks	FLOPPY RCD W/APLN;			
5/14/2006	03500-018060	Maglayan, John J.	3 month Office Action initial deadline	10/812019
Remarks	FLOPPY RCD W/APLN;			
5/14/2006	03500-018060	Maglayan, John J.	3 month Office Action initial deadline	10/812019
Remarks	FLOPPY RCD W/APLN;			

## MASTER DOCKET - From 042606 to 051606

Due Date	Docket Number	Attorney	Action	Application No
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5/14/2006	01526.400400.	Behring, John W.	Power of attorney due to be filed	10/517812
Remarks	NATL PHASE OF PCT/IB03/002827 ON 070803			

<del>5/14/2006</del>	<del>03226.000123.PV.</del>	<del>Cire, Frank L.</del>	<del>1 month Complete Appln/Foreign Filing Remitt 60/690195</del>	
Remarks				

Rendel  
RE-55.7.0.6.14.06

<del>5/14/2006</del>	<del>03500.52105T.</del>	<del>Cire, Frank L.</del>	<del>Information Disclosure Statement Due</del>	<del>11/271877</del>
Remarks				

<del>5/14/2006</del>	<del>03560.000523</del>	<del>Cire, Frank L.</del>	<del>Issue/Publication Fee due</del>	<del>09/25989</del>
Remarks				

WCE + IDS by couni pm FLC on 5/14/06  
Advisory rec'd 11/23/05; IPT 120605 - rce; PTA=844; IPT 041906 - RCE W/IDS & FILE 1.53 (b) CONT.;  
Final Office Action - 2 Month date  
Amnd #1F by COF pm FHD on 5/15/06  
RE-18.06

<del>5/14/2006</del>	<del>03500.017937.</del>	<del>Delucia, Frank A.</del>	<del>Final Office Action - 2 Month date</del>	<del>10/209905</del>
Remarks				

<del>5/14/2006</del>	<del>03500.107202.</del>	<del>DeLuca, Frank A.</del>	<del>Information Disclosure Statement Due</del>	<del>11/271898</del>
Remarks				

RE-7.0.6.14.06

<del>5/14/2006</del>	<del>01272.119600.</del>	<del>Diana, Leonard P.</del>	<del>Information Disclosure Statement Due</del>	<del>11/271872</del>
Remarks				

Floppy received with application; Courier 011906 - 1 prior doc  
Start of information by pet ex by com pm RDP on 5/15/06  
Remarks 1ST RCE SENT COM 092204; IPT 011006 - Letter re: IDS; IPT 031306 - INTERVIEW;  
09/292146